

MEMO ENDORSED

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

THE DUGABOY INVESTMENT TRUST,

Plaintiff,

V.

HIGHLAND SELECT EQUITY MASTER
FUND, L.P. and HIGHLAND SELECT
EQUITY FUND GP, L.P.,

Defendants.

Case No. 1:23-cv-01636-MKV

SUGGESTION OF BANKRUPTCY

TO THE HONORABLE JUDGE OF SAID COURT:

1. The undersigned has knowledge that Highland Select Equity Master Fund, L.P. and Highland Select Equity Fund GP, L.P. (the “*Defendants*”), filed voluntary petitions for relief under Chapter 7 of the United States Bankruptcy Code on May 25, 2023, in the United States Bankruptcy Court for the Northern District of Texas, Case Nos. 23-31037-swe7 and 23-31039-mvl7. A true and correct copy of the Notices of Bankruptcy Case Filings are attached as Exhibits 1 and 2.

2. As a result of the bankruptcy filing, the automatic stay provisions provided by section 362 of the Bankruptcy Code prohibit the commencement or continuation of any actions against the Defendants or property of their bankruptcy estates. Accordingly, this proceeding must be stayed.

3. The undersigned counsel does not represent the Defendants in this lawsuit, and nothing herein shall be deemed an appearance as counsel for the Defendants in this lawsuit. The purpose of this notice is merely to notify the Court and other parties of Defendants’ bankruptcy filings and the imposition of the automatic stay under the Bankruptcy Code.

WHEREFORE, PREMISES CONSIDERED, the undersigned requests that the Court take notice of the bankruptcy filing by the Defendants.

Respectfully submitted,

QUILLING, SELANDER, LOWNDS,
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By: /s/ Hudson M. Jobe
Hudson M. Jobe
Texas Bar No. 24041189

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served concurrently with filing on the following through the Court's electronic noticing system:

Mazin A. Sbaiti
SBAITI & COMPANY PLLC
2200 Ross Avenue, Suite 4900W
Dallas, TX 75201

/s/ Hudson Jobe
Hudson Jobe

It has been reported to the Court that both Defendants have filed petitions for relief under Chapter 7 of the United States Bankruptcy Code. Accordingly, the Clerk of Court is respectfully directed to designate this case as stayed pending further order of this Court. See 11 U.S.C. § 362. The parties shall promptly (within seven days) inform the Court upon the completion of bankruptcy proceedings.

SO ORDERED.



JESSICA G. L. CLARKE
United States District Judge

Dated: July 28, 2023
New York, New York